

CAPE COD COMMERCIAL  
**FISHERMEN'S  
ALLIANCE**

**Small Boats. Big Ideas.**

October 21, 2021

Marisa Trego  
Take Reduction Team Coordinator, Greater Atlantic Region  
55 Great Republic Drive  
Gloucester, MA 01930

RE: Comments on Atlantic Large Whale Take Reduction Plan Scoping

Dear Ms. Trego,

Thank you for the opportunity to comment on the Atlantic Large Whale Take Reduction Plan Scoping for Phase 2.

The Cape Cod Commercial Fishermen's Alliance is a member-based, nonprofit organization that works to build lasting solutions to protect our ecosystem and the future of our fisheries. The Fishermen's Alliance represents 150 fishing businesses and more than 300 fishing families, making our organization the leading voice for commercial fishermen on Cape Cod. We are deeply invested in the scientific assessments and public policies that impact our communities.

Our fishermen members have been at the forefront of testing and developing gear modifications to reduce the risk of entanglement and potential harm to whales. In pioneering these technologies, fishermen have undertaken financial risk and contributed a significant amount of time and energy into these developments. Our fishermen members support the current methods, and would be open to discussing the improvement of these.

The following are comments specific to the Phase II Fisheries Compliance & Operational Information comment guide, and apply to Northeast sink gillnet fisheries for groundfish, spiny dogfish, monkfish, and winter skate.

#### Gear Marking

Current gear marking methods are low-cost methods (i.e. tape or paint) that are typically performed at the dock/on land and take a reasonable amount of time to complete. Fishermen members are willing to alter gear marking as long as the material cost remains low, and are willing to invest more time in this process.

#### Weak inserts

Current methods of "whale breaks" or weak links include 1,100lb breaking strength plastic weak links and overhand or other knots. Some fishermen have experimented with lower breaking strength (600lb) plastic weak links for their surface systems, but this resulted in gear loss of the buoy and highflyer. There is moderate concern of gear loss over having a breaking strength that is too low to support normal fishing operations or weather events.

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The above weak link methods are preferred as they are low cost and take little time to install or replace. Other methods, such as splicing in sections of weak rope or adding sleeves take significantly more time to add or replace, especially when engaged in fishing activity offshore.

Most fishermen are willing to experiment with alternatives, such as sleeves or weak rope, as long as the diameter of rope is large enough for their haulers and does not pose safety risks in hauling gear. Rope diameter is of utmost importance to anchored gillnet fishermen for reasons related to safety and feasibility, especially in deeper water fisheries (i.e. monkfish in Southern New England). Fishermen would rather have flexibility in regulations over the buoyline diameter and compromise on a lower breaking strength line. The ability of the hauler to get a good grip on the line is dependent on the diameter – the larger the diameter, the stronger the grip. The smaller the diameter of line, the more difficult it becomes for the hauler to clamp down on the line and it becomes easier for the line to slip out and start pulling back into the water. This poses a significant safety risk, as there is often an incredible amount of tension on this type of gear while being hauled. While gear is being hauled, on deck operations include crew hand-picking fish and typically one crew in the net box “flaking” the net out which involves continuously pulling the net into the box by hand while standing on top of the nets already pulled into the box. If the risk of line slipping out of the hauler increases due to a small diameter, this directly increases risk of injury to the crew.

#### Reduced soak hours

Average soaking hours vary between targeted species, with groundfish and dogfish gear typically soaking 12 to 24 hours, and monkfish gear typically soaking two to five days depending on weather. In the summer and fall, fishermen typically fish seven days per week unless there are market or weather factors that restrict their ability to land catch. In winter and spring, fishermen average one to two trips per week to Southern New England (SNE) fishing grounds based on best available weather windows.

A reduction in soaking hours would be mitigated by an increase in the amount of gear being fished in order to make up for lost catch. There is also potential for fishermen to increase fishing pressure on days that would previously be deemed unsafe for fishing based on weather in order to further mitigate the effects of soak time reduction/catch and profit loss.

Fishermen indicate that although they are allowed to run up to 200 nets/vessel, most local fishermen average about 50 nets in the water. Given any reduction in soak time or other modification that would reduce catch, they would likely increase the number of nets in order to get back to the same catch volume, even if it required more effort. Many of these fisheries are lower value species (skate and dogfish, with monkfish prices currently low), so achieving a target catch level is necessary to be able to continue making a living.

#### Restriction of overnight soaks

The majority of anchored gillnet gear is soaked overnight, with the exception of occasional shorter soaks for groundfish or dogfish. The dogfish fishery previously used “stab sets,” where the gear was set and immediately hauled back. However, in the past couple years, dogfish have become increasingly harder to catch with this method, so fishermen have had to shift to overnight soaks.

Similar to reduced soaking hours, if overnight soaks were restricted, fishermen expressed they would respond by fishing more nets during fishable hours. We do not believe restricting overnight soaking to be a feasible alternative. Not only might it result in the same number of nets fished, but it may also force fishermen to haul gear in unsafe weather conditions in order to comply with regulations. Additionally, this may not be feasible for areas that require a 10 to 12 hour steam each

way to get to and from fishing grounds, as is the case between Chatham/Harwich, MA and SNE fishing grounds.

#### Number of nets/panels on a string

The number of nets/panels on a string/set varies between fishery and vessel capabilities. Dogfish/groundfish gear typically has 12 to 20 nets/set and skate/monkfish gear typically has 12 to 20 nets/set. Decreasing the number of nets directly results in reduced catch, and therefore reduced profits. Similar to the above scenarios, a decrease in nets per set would result in fishermen increasing the number of sets in order to mitigate catch reduction.

#### Ropeless gear

Fishermen opinion on testing ropeless gear varies, but we do have some members testing on lobster trawls. So far, this testing has demonstrated that the technology itself is in need of improvement before any implementation would be considered. The biggest concerns over the adoption of ropeless gear technology are fishermen safety, affordability, gear reliability (not currently ready for wide scale adoption), and gear conflict within and across gear types. Our fishermen members would not be willing to incur any costs for ropeless gear at present. Even if it granted access to restricted areas, there is still a general sentiment of not wanting to assume additional costs.

If implemented, we encourage ample lead time to allow fishermen to make required modifications. Overall, we support measures to reduce risk of entanglements that reasonably modify fishermen's existing gear and prioritize safety of fishermen.

Sincerely,

A handwritten signature in black ink, appearing to read "John Pappalardo". The signature is fluid and cursive, with a large initial "J" and "P".

John Pappalardo  
CEO